

COMMONWEALTH OF MASSACHUSETTS
Department of Telecommunications and Energy

**RESPONSE OF THE ATTORNEY GENERAL TO THE
FIRST SET OF INFORMATION REQUESTS FROM THE
BAY STATE GAS COMPANY
D.T.E. 05-27**

Dated: August 1, 2005

Responsible Party: Attorney General

BSG-AG-1-2 With regard to the Attorney General's response to BSG-AG-1-1, if any adjustment is expected to be proposed and supported on brief but that is not supported by filed witness testimony, please identify that adjustment, provide a narrative description and provide the dollar amount of the adjustment the Attorney General intends, expects or anticipates that he will recommend. This is a continuing request that should be supplemented by the Attorney General as new information is developed or created until the close of briefs in this proceeding.

Objection: To the extent that this requests seeks a chronology of the Attorney General's ongoing case strategy and development of positions before briefing is complete, it seeks confidential information protected from disclosure by the work product doctrine.

Response: Without waiving this objection, Attorney General states that the record in this proceeding is still open, and the Attorney General has made no final determinations on proposed adjustments. He will file final recommendations during the briefing phase of this proceeding, as is the usual custom and practice before the Department. Consistent with Department precedent, the filing of a rate case puts the Company on notice of potential adjustments to all elements of its case. *See Bay State Gas Company*, D.P.U. 1535-A, pp. 14-17 (1983).